



TERMINAL DISCLAIMER TO OBLVIAE A DOUBLE PATENTING  
REJECTION OVER A PRIOR PATENT

Docket Number (Optional)  
51876P362

In re the Application of: Jong-Bum Park, et al.  
Application No.: 10/635,811  
Filed: August 05, 2003  
For: method for fabricating capacitor in semiconductor device

The owner\*, Hynix Semiconductor Inc. of 100 percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. 154 and 173, as presently shortened by any terminal disclaimer, of prior Patent No. 5,670,431.

The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the prior patent are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

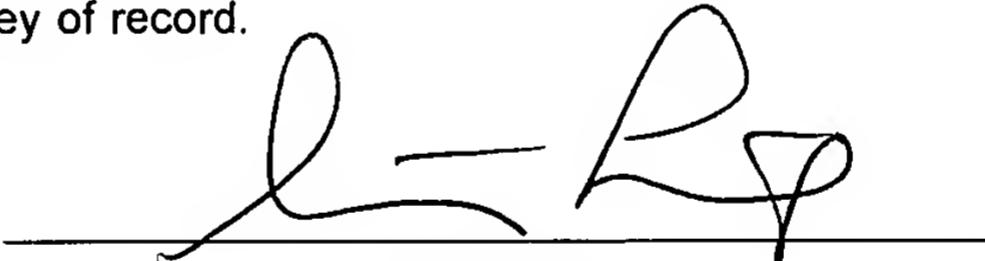
In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 and 173 of the prior patent, as presently shortened by any terminal disclaimer, in the event that it later expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. 1.321, has all claims cancelled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

Check either box 1 or 2 below, if appropriate.

1.  For submissions on behalf of an organization (e.g., corporation, partnership, university, government agency, etc.), the undersigned is empowered to act on behalf of the organization.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further, that these statements are made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

2.  The undersigned is an attorney of record.



Signature

8/4/2004

Date

Steven Laut, Reg. No. 47,736  
Typed or printed name

Terminal disclaimer fee under 37 CFR 1.20(d) included.

**WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2039.**

\* Statement under 37 CFR 3.73(b) is required if terminal disclaimer is signed by the assignee (owner). Form PTO/SB/96 may be used for making this statement. See MPEP § 324.

Based on PTO/SB/26 (09-03) as modified by Blakely, Solokoff, Taylor & Zafman (wlr) 09/17/2003.  
Send To: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450

08/10/2004 CCHAU1 00000004 10635811

01 FC:1814

110.00 0P



# FEET TRANSMITTAL for FY 2004

Effective 10/01/2004. Patent fees are subject to annual revision.

Applicant claims small entity status. See 37 CFR 1.27.

**TOTAL AMOUNT OF PAYMENT** (\$)  
110.00

## Complete if Known

Application Number	10/635,811
Filing Date	August 5, 2003
First Named Inventor	Jong-Bum Park
Examiner Name	Jennifer M. Kennedy
Art Unit	2812
Attorney Docket No.	51876P362

## METHOD OF PAYMENT (check all that apply)

Check  Credit card  Money Order  Other  None

Deposit Account

Deposit Account Number  
02-2666

Deposit Account Name  
Blakely, Sokoloff, Taylor & Zafman LLP

The Commissioner is authorized to: (check all that apply)

Charge fee(s) indicated below  Credit any overpayments  
 Charge any additional fee(s) or underpayment of fees as required under 37 CFR §§ 1.16, 1.17, 1.18 and 1.20.  
 Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account

## FEE CALCULATION

### 1. BASIC FILING FEE

Large Entity		Small Entity		FeePad
Fee Code	Fee (\$)	Fee Code	Fee (\$)	
1001	770	2001	385	Utility filing fee
1002	340	2002	170	Design filing fee
1003	530	2003	265	Plant filing fee
1004	770	2004	385	Reissue filing fee
1005	160	2005	80	Provisional filing fee
SUBTOTAL (1)		(\$)		

### 2. EXTRA CLAIM FEES

Total Claims	Independent Claims	Extra Claims	Fee from below	FeePad
9	1	20 <sup>**</sup>	= 0 X 18.00 = \$0.00	
		3 <sup>**</sup>	= 0 X 86.00 = \$0.00	

Multiple Dependent

Large Entity		Small Entity		FeePad
Fee Code	Fee (\$)	Fee Code	Fee (\$)	
1202	18	2202	9	Claims in excess of 20
1201	85	2201	43	Independent claims in excess of 3
1203	290	2203	145	Multiple Dependent claim, if not paid
1204	85	2204	43	**Reissue independent claims over original patent
1205	18	2205	9	**Reissue claims in excess of 20 and over original patent
SUBTOTAL (2)		(\$)		0.00

\*\*or number previously paid, if greater. For Reissues, see below

### 3. ADDITIONAL FEES

Large Entity	Small Entity	Fee Description
Fee Code	Fee (\$)	Fee Code
1051	130	2051 65 Surcharge - late filing fee or oath
1052	50	2052 25 Surcharge - late provisional filing fee or cover sheet.
2053	130	2053 130 Non-English specification
1812	2,520	1812 2,520 For filing a request for ex parte reexamination
1804	920 *	1804 920 * Requesting publication of SIR prior to Examiner action
1805	1,840 *	1805 1,840 * Requesting publication of SIR after Examiner action
1251	110	2251 55 Extension for reply within first month
1252	420	2252 210 Extension for reply within second month
1253	950	2253 475 Extension for reply within third month
1254	1,480	2254 740 Extension for reply within fourth month
1255	2,010	2255 1,005 Extension for reply within fifth month
1404	330	2401 165 Notice of Appeal
1402	330	2402 165 Filing a brief in support of an appeal
1403	290	2403 145 Request for oral hearing
1451	1,510	2451 1,510 Petition to institute a public use proceeding
1452	110	2452 55 Petition to revive - unavoidable
1453	1,330	2453 665 Petition to revive - unintentional
1501	1,330	2501 665 Utility issue fee (or reissue)
1502	480	2502 240 Design issue fee
1503	640	2503 320 Plant issue fee
1460	130	2460 130 Petitions to the Commissioner
1807	50	1807 50 Prosessing fee under 37 CFR 1.17(q)
1806	180	1806 180 Submission of Information Disclosure Stmt
8021	40	8021 40 Recording each patent assignment per property (times number of properties)
1809	770	1809 385 Filing a submission after final rejection (37 CFR § 1.129(a))
1810	770	2810 385 For each additional invention to be examined (37 CFR § 1.129(b))
1801	770	2801 385 Request for Continued Examination (RCE)
1802	900	1802 900 Request for expedited examination of a design application

Other fee (specify)  Terminal (Statutory) Disclaimer

FeePad

110.00

\* Reduced by Basic Filing Fee Paid

SUBTOTAL (3)

(\$)

110.00

## SUBMITTED BY

Name (Print/Type)	Steven Laut	Registration No. (Attorney/Agent)	47,736	Telephone	(310) 207-3800
Signature				Date	08/04/04

Based on PTO/SB/17 (10-03) as modified by Blakely, Sokoloff, Taylor & Zafman (wlr) 02/10/2004.  
SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450